

## REMARKS

In the present application, claims 1-19 were examined and rejected. In response, Applicants are submitting the following remarks. In view of the following remarks, Applicants respectfully request reconsideration of the application.

### Amendment to the Specification and Claims

The Applicants have amended the specification in order to incorporate terminology that is more standard in the art. In particular, the element "insert 304" is amended to read "insert stud body or locking stud body 304." Additionally, the element "grommet 312" is amended to read "grommet or insert 312." No new matter is added by these amendments to the specification – present elements are only being re-termed.

Consequently, amendments are also made to the claims to conform the claim elements to the specification. The claims are also amended to more clearly distinguish the features of the present invention. With respect to claims 17-19, these claims have been revised into corresponding method claims. These amendments are not being made in response to the rejections presented by the Examiner, and should not be interpreted as such.

### Rejection Under 35 U.S.C. §102

In paragraph 2 of the Office Action, Examiner rejected claims 1-19 under 35 U.S.C. §102(b) as being anticipated by *McCarty* (U.S. Patent No. 2,714,326). Applicants respectfully traverse.

Claim 1 recites "a locking stud body comprising a plate and an aperture ... and a mounting stud comprising a top portion and a threaded lower portion, the threaded lower portion configured to be positioned in the aperture of the locking stud body, where the mounting stud holds the component in position between the top portion of

the mounting stud and the plate.” Thus, the exemplary mounting stud clamps the component between the top portion of the mounting stud and the plate of the locking stud body, thereby holding the component in position.

In contrast, *McCarty* provides a supporting post (23) having an annular slot or groove (24) in the head portion (25) for receiving the component. The only conceivable way the component is positioned in the groove is by sliding a slotted component laterally into the groove. The head portion, which the Examiner contends is equivalent to the mounting stud of the present invention, cannot, in itself, hold the component in position. That is, a gap must exist between the head portion above and/or below the component and the component, itself, if the component is to be slid into the groove. Because of this gap, the head portion does not physically hold the component in position. For example, if the invention of *McCarty* is tilted, the component will fall out of the groove absent any other elements (i.e., with only the head portion present). In fact, FIG. 4 of *McCarty* shows that the tension of the strings along with the adjusting and string thrust supporting screws (28) need to be provided in order to hold the component in position. Therefore, the head portion of *McCarty* does not hold the component in position as described and claimed by the present invention.

Furthermore, claim 1 requires that a mounting stud be positioned within (e.g., screwed into) an aperture of the locking stud body in order to hold the component in position between the mounting stud and a plate of the locking stud body; as such, the mounting stud is a separate element from the plate of the locking stud body. Firstly, the supporting post of *McCarty* does not comprise an aperture for receiving a mounting stud. Additionally, *McCarty* does not provide two distinct elements which in combination hold a component in position between the two elements, whereby one element can be positioned into the other element. Instead, *McCarty* only provides a single supporting post having elements the Examiner contends are equivalent to both the mounting stud and the plate of the present invention.

Anticipation under 35 U.S.C. § 102 requires the disclosure, in a single prior art reference, of each and every claim element of the claimed invention. See Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984). In view of the fact that *McCarty* fails to disclose or suggest the elements of claim 1 as discussed in the preceding paragraphs, the rejection of claim 1 as being anticipated by *McCarty* is respectfully traversed and Applicant requests the rejection be withdrawn. Because claims 2-7, 9, 11, and 21 depend either directly or indirectly from claim 1, these claims are also allowable over *McCarty* for the same reasons as presented for claim 1.

Claim 12 provides for “clamping the component in place between the plate and a mounting stud. As discussed with respect to claim 1, *McCarty* does not “clamp” a component between the plate and a mounting stud. The component is merely slid in-between elements the Examiner contends are equivalents to the plate and mounting stud of the present invention (i.e., a head portion of the supporting post). Because the component is slid into position, a space must exist between the “plate element” of *McCarty* and the component and/or the “mounting stud element” of *McCarty* and the component. Intuitively, if a space exists, the component is not clamped between the elements of *McCarty*. Therefore, claim 12 is not anticipated by *McCarty*. Further, because claims 13-16 and 22 depend from claim 12, these claims are also not anticipated for the same reasons as claim 12.

Claim 17 provides for “a mounting stud configured for clamping the component in position between the plate and the mounting stud.” As discussed with respect to claims 1 and 12, *McCarty* does not, and cannot, clamp a component between a plate and a mounting device. As such, claim 17 is not anticipated by *McCarty*. Furthermore,

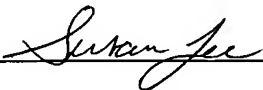
claims 18-20, which depend from claim 17, are not anticipated for the same reasons as claim 17.

Based on these remarks, Applicants believe the Office Action of August 26, 2004 has been responded to in full, and that claims 1-7, 9, and 11-22 are allowable. If Examiner has any questions regarding the case, Examiner is invited to contact Applicants' undersigned representative at the number given below.

Respectfully submitted,

Sharon C. Devereaux et al.

Date: 11/24/04

By: 

Susan Yee  
Carr & Ferrell LLP  
2200 Geng Road  
Palo Alto, CA 95054  
Phone: (650) 812-3400  
Fax: (650) 812-3444